IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 11952 of 2007(W)

PETITIONER:

SAJEEV.S., S/O.SADANANDAN.R.,
TIN NO.32021157644, MAMVILAYIL, PIDAVOOR P.O.,
PATHANAPURAM.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, FOREST DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIVISIONAL FOREST OFFICER,
KOTTAVASAL, THENMALA, KOLLAM.

3. THE TAHASILDAR, TALUK OFFICE,
PATHANAPURAM, PUNALUR.

4. THE SENIOR GEOLOGIST, MINING AND
GEOLOGY DEPARTMENT, ASHRAM, KOLLAM.

5. THE SUB INSPECTOR OF POLICE,
PATHANAPURAM POLICE STATION, PATHANAPURAM,
KOLLAM DISTRICT.

BY GOVERNMENT PLEADER SRI. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO. 11952 OF 2007

DATED THIS THE 9th DAY OF APRIL, 2007

JUDGMENT

The petitioner has approached this court seeking the following reliefs.

> "(i) issue a writ of mandamus or other writ or order or direction directing the respondents to forbear from interfering with or taking any coercive steps against the petitioner in respect of transport of River sand, metal chips and metal powder etc. from Tamil Nadu through the border Check Post in Kerala for sale in the State as per Ext.P1 Registration.
>
> (ii) To declare that the petitioner is entitled to transport of River sand, metal chips and metal powder etc. from Tamil Nadu through the border Check Post in Kerala for sale in the State as per Ext.P1 Registration.
>
> (iii) issue such other writ or direction, which this Hon'ble Court may deem fit and proper on the facts and circumstances of this case."

I am of opinion that no such general order can be issued when the petitioner has not even an allegation in the writ petition that any of his lorries have been detained by any of the respondents for any of the reasons alleged in the writ petition. This Court can interfere in the matter only when the respondents in violation of the law act to the prejudice of the petitioner. In the absence of any allegations in the writ petition that any of the respondents have done so, the petitioner cannot be granted any reliefs on the basis of such general prayers.

Accordingly, the writ petition is dismissed.

S. SIRI JAGAN, JUDGE

Acd